

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN DOES 1 THROUGH 7,

Plaintiffs,

v.

THE TALIBAN, AL-QAEDA,
and THE HAQQANI NETWORK,

Defendants.

Misc Action No. 1:20-mc-00740-KPF

MEMO ENDORSED

PLAINTIFFS' MOTION TO WITHDRAW MOTION AND NOTICES

Plaintiffs, John Does 1 through 7, through undersigned counsel hereby move this Court for an Order withdrawing the Motion and Notices at docket entries 8, 13, and 39. In support of this Motion, Plaintiffs state:

1. Plaintiffs filed document number 8 requesting Writs of Execution against Samark Lopez Bello and Yakima Trading Corporation. Plaintiffs later filed documents 13 and 39 in support of their Ex-parte Motion for Writs of Execution.
2. Documents 8, 13, and 39 were filed in error.
3. As your Honor pointed out in docket entry 26, “[p]er the Clerk of Court, the proper process for issuance of a writ of execution against property in this District is to send a physical copy of the writ of execution, complete with an original (*i.e.*, not electronic) signature directly to the Orders and Judgments Clerk either via hand delivery or a self-addressed, stamped return envelope. In order to seek their requested relief, Plaintiffs must submit the documents in accordance with these established procedures.”

WHEREFORE, for the above and foregoing reasons, the Court should grant Plaintiffs Motion to Withdraw the Motion and Notices at docket entries 8, 13, and 39, or in the alternative, Order the Clerk of Court to terminate the pending Motion and Notices at docket entries 8, 13, and 39.

Respectfully submitted,

do Campo & Thornton, P.A.

Chase Bank Building
150 S.E. 2nd Avenue, Ste. 602
Miami, Florida 33131
Telephone: (305) 358-6600
Facsimile: (305) 358-6601

By: s/ Orlando do Campo
Orlando do Campo
Bar Code: OD1969
od@dandtlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 17, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

s/ Orlando do Campo
Orlando do Campo

Application DENIED. The Court acknowledges Plaintiffs' concession that certain of its filings relating to their desired writ of execution against Samark Jose Lopez Bello and Yakima Trading Corporation deviated from this District's procedures. Nonetheless, the Court has addressed the issues attendant to Plaintiffs' request. (See Dkt. #12 (resolving docket entry 8)). As such, the Clerk of Court is directed to terminate the pending motion at docket entry 8. However, the Court will not strike entries 8, 13, and 39 from the docket to preserve the completeness of the public record.

Further, the Clerk of Court is directed to terminate the pending motions at docket entry 45.

SO ORDERED.

Date: December 20, 2021
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE